

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ALDO VERA, JR., as Personal Representative  
of the Estate of Aldo Vera, Sr.,

Plaintiff,

vs.

THE REPUBLIC OF CUBA,

Defendant.

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12 Civ. 1596 (AKH)

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ALDO VERA, JR., as Personal Representative  
of the Estate of Aldo Vera, Sr., et al.,

Petitioners,

v.

BANCO BILBAO VIZCAYA ARGENTARIA (S.A.), et al.:

Respondents/Garnishees.

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**REPLY DECLARATION OF  
KENNETH A. CARUSO  
IN OPPOSITION TO  
MOTION TO COMPLETE  
TURNOVER AND IN  
SUPPORT OF  
CROSS-MOTION FOR A  
PROTECTIVE ORDER**

Kenneth A. Caruso, hereby declares:

1. I am a member of the Bar of this Court and a partner in the firm of White & Case LLP, counsel to Banco Bilbao Vizcaya Argentaria (S.A.) (“BBVA”).

2. Attached as Exhibit C is my blackline mark-up of Mr. Swift’s “[Proposed] Order and Judgment for Turnover of Specified Uncontested Phase I Account at BBVA.” Dkt. No. 720-

1. I have made proposed deletions based on BBVA’s legal positions, as set forth in our memoranda of law. We respectfully take the position that if there is any inconsistency between Exhibit C and our memoranda of law, then our memoranda of law prevails.

3. Attached as Exhibit D is a “clean” version of Exhibit D.

I declare under penalty of perjury that, to the best of my knowledge, the foregoing is true and correct.

Dated: New York, New York  
October 24, 2014

  
Kenneth A. Caruso